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FILED
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
07 MJ 2608

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
STEVE VICTOR CUTHBERTSON,)
)
)
Defendant)

MAGISTRATE CASE NO.:
BY: DEPUTY
COMPLAINT FOR VIOLATION OF
Title 18, U.S.C. Section
2113(a) - Bank Robbery

The undersigned complainant, being duly sworn, states:

Count 1

On September 15, 2007, within the Southern District of California, defendant STEVE VICTOR CUTHBERTSON did knowingly and willfully commit bank robbery in El Cajon, California. On said date, defendant Cuthbertson entered the Bank of America, 845 North Second Street, El Cajon, California, passed a demand note to the victim teller, and received \$4,542.00 from the victim teller before exiting the bank, in violation of Title 18, United States Code, Section 2113(a).

And the complainant states that this complaint is based on the attached probable cause statement incorporated herein by reference.

Todd H
TODD HEMMEN, Special Agent
Federal Bureau of Investigation

SWORN TO ME AND SUBSCRIBED IN MY PRESENCE THIS 7th DAY OF
NOVEMBER 2007.

CA
CATHY ANN BENCIVENGO
United States Magistrate Judge

PROBABLE CAUSE STATEMENT

I declare under penalty of perjury the following statement is true and correct:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), currently assigned to the San Diego Field Office. The information contained in this probable cause statement is based upon my personal knowledge and on information I have learned from reviewing official reports and speaking with other Special Agents of the FBI, the El Cajon Police Department, and other law enforcement agencies.

2. I submit that there is probable cause to believe that Steve Victor Cuthbertson has committed the offense of bank robbery, a violation of Title 18, Section 2113(a).

3. On September 15, 2007, the Bank of America located at 845 North Second Street, El Cajon, California was robbed. During the robbery, the bank robber passed a handwritten demand note to the victim teller. The note, written on a 3" by 5" yellow Post-It note, read, "Follow these Instructions and everything will be okay I want all your \$20, \$50, \$100 Bills, No Bait Money. Do this quickly" [sic]. The victim teller described the bank robber as a white male in his mid 30's, approximately 5'8" tall, stocky with a large belly, wearing a plain white t-shirt, and having a neatly trimmed mustache and goatee. Surveillance photographs indicated that the robber also wore hiking-style boots during the robbery. The demand note was left at the bank by the robber after the robbery and later collected as evidence by the El Cajon Police Department (ECPD).

1 4. On October 31, 2007, the ECPD forensic laboratory
2 conducted an examination of the demand note in an effort to
3 identify latent fingerprints. Latent fingerprints were
4 recovered from the demand note and positively matched the known
5 fingerprints of Steve Victor Cuthbertson. Cuthbertson's prints
6 had been taken on December 29, 1997 on an unrelated
7 investigation.

8 5. On November 5, 2007, I reviewed a missing persons
9 police report taken by the La Mesa Police department on July
10 22, 2007. Cuthbertson was reported missing by his sister,
11 Stephanie Fortuna, following a five-day absence by Cuthbertson
12 from his parent's residence. Pursuant to the missing person
13 investigation, it was determined that Cuthbertson was staying
14 with his friend Michael Daglio at 1518 Sams Hill, Unit #59, El
15 Cajon, California (residence).

16 6. On November 6, 2007, officers with the ECPD and
17 I went to the residence. ECPD detective Mark Barber knocked on
18 the door of the residence, and the door was opened by an
19 individual matching the physical description of Cuthbertson.
20 Upon being asked by Detective Barber for his identity, the
21 individual indicated that he was Steve Cuthbertson.

22 7. Cuthbertson consented to the search of his
23 living area within the residence. During the search, brown
24 boots matching the boots worn by the robber in the September
25 15, 2007 bank surveillance photographs were found in
26 Cuthbertson's living area. The boots were subsequently seized
27 as evidence.

28 //


8. Cuthbertson was arrested without incident at the residence and transported to the ECPD for questioning. After being advised of his Miranda rights and questioned, Cuthbertson confessed to robbing the bank.

9. Steve Victor Cuthbertson is described as follows:

Name: Steve Victor Cuthbertson
Sex: Male
Race: White
DOB: September 4, 1968
SSN: 573-79-2801
Hair: Black
Eyes: Brown
Weight: 205 lbs
Height: 5'8"

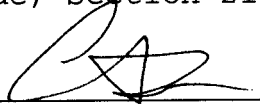
10. I was advised during the course of my investigation that the deposits of the Bank of America, 845 North Second Street, El Cajon, California, were insured by the Federal Deposit Insurance Corporation (FDIC) at the time of the robbery on September 15, 2007. The Bank of America suffered a loss of \$4,542.00 as a result of that robbery.

Executed on November 7, 2007, at _____ a.m./p.m.



Todd Hemmen
Special Agent, FBI

On the basis of the facts presented in this probable cause statement, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on September 15, 2007, in violation of Title 18, United States Code, Section 2113(a) (Bank Robbery).



Cathy Ann Bencivengo
United States Magistrate Judge

11/7/07 9:30 am
Date/Time